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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/772,565

Applicant(s)

STOPNIEWICZ ET AL.

Examiner

ERIC W. SHEPPERD

Art Unit

2453

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

1. Claims 12-31 are pending.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/07/2010 has been entered.

Response to Amendment

3. In response the amendment filed 05/07/2010: Applicant has amended the claims, and the objections and corresponding 35 USC § 112 rejections have been withdrawn.

Response to Arguments

4. Applicant's arguments filed 05/07/2010 have been fully considered but they are not persuasive.
5. Applicant argues that Galipeau does not bear upon the patentability of claims 12-24, 27-31, citing that Galipeau does not teach that the "internet content provided by the onboard Internet mass storage unit 190, the Internet server 192, and the ground server

232 is separated into content libraries based upon passenger seat group as set forth in independent claims 12, 27, 28, and 31", that "the disclosed personal computer 226 presents a content catalog of viewing content available from a relevant content library for selecting viewing content for receipt and presentation", and "a first content library that is different from a second content library and that is not available to a second portable media device for presenting selected second viewing content from the second content library as set forth in claims 12, 27, 28, and 31".

6. Examiner respectfully disagrees. In response to applicant's arguments against the references individually (Galipeau et al US 6,249,913 B1), one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Galipeau was relied upon to show "a headend system for communicating with a content source including a content library associated with multiple passenger seat groups", the Wilson reference (US 2004/0192339 A1) was relied to show the first and second "content libraries", and Decinque (Us 6,286,139 B1) has been relied upon to show the "presentation of a content catalog" (*see below rejection of claim 12*).

7. Applicant argues that Wilson teaches away from independent claims 12, 27, 28 and 31, as well as the combination of Galipeau in view of Wilson, citing "Wilson's system that automatically determines locations for mobile devices within the vast coverage area of the stationary wireless telecommunication system and automatically provides information to the mobile devices regarding a mutually-convenient meeting

location within the coverage area based on the determined locations of the mobile devices, independent claims 12, 27, 28, and 31 recite first and second portable media devices that are associated with first and second passenger seat groups, respectively, within the same vehicle."

8. Examiner respectfully disagrees. The usage of the system of Wilson to function in an area larger than the operation area of the claims of the instant application (within a vehicle), does not exclude the system of Wilson from being adapted by itself, or in combined with Galipeau, as it is not the scale of the invention, but the functionality of Wilson that is being combined with Galipeau.

9. Applicant argues that Wilson "does not teach or even suggest that the location-based services are associated with any passenger seat groups or that content received by the user's mobile device is provided by a content source that includes a first content library associated with a first passenger seat group within a passenger vehicle and a second content library associated with a second passenger seat group within the passenger vehicle as claimed".

10. Examiner respectfully disagrees. Examiner relied upon the combination of Galipeau to show the association of passenger seat groups (Galipeau column 3 lines 52-55 *seat groups*; Fig. 1 item 12 *first column of seat groups*) with a content library ("Internet Server" Fig. 12, item 192 *communicating with* "Aimet Ground Server" Fig. 12, item 232), and Wilson was relied upon to show two content libraries associated with two different groups (Wilson claim 1 lines 15-20 *provide basic level of service to first list of subscribers and a premium level of service to a second level of subscribers*).

11. Applicant argues that Wilson fails to teach or suggest that the location-based services enable the mobile devices to present a content catalog of viewing content available from a relevant content library or enable selection of selected viewing content via the first content catalog for receipt and presentation.
12. Examiner respectfully disagrees. Decinque was relied upon in combination with Galipeau and Wilson to show the presentation of a content catalog (Decinque column 4 lines 35-36 *presenting product information*), for selection for presentation (Decinque column 3 lines 56-58 *customer selects program by clicking on icon*).
13. All other arguments presented by Applicant either re-hash or rely upon the issues addressed above, and are also not persuasive for the reasons given above.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 12-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Galipeau et al (US 6,249,913 B1), and in view of Wilson et al (US 2004/0192339 A1), in view of Decinque (US 6,286,139 B1).
16. As to claim 12, Galipeau substantially discloses a vehicle information system installed aboard a passenger vehicle (Galipeau Abstract), comprising:

a headend system for communicating with a content source including a content library ("Internet Server" Fig. 12, item 192 *communicating with "Airnet Ground Server"* Fig. 12, item 232) associated with a first passenger seat group within the passenger vehicle (Galipeau column 3 lines 52-55 *seat groups*; Fig. 1 item 12 *first column of seat groups*) and a second passenger seat group within the passenger vehicle (Galipeau column 3 lines 52-55 *seat groups*; Fig. 1 item 14 *second column of seat groups*);

a first portable media device being associated with the first passenger seat group (Galipeau "Personal Computer" Fig. 12 item 226 *being used with a first group*), said first portable media device for enabling selection of selected viewing content (Galipeau column 4 lines 26-29 *requested by passenger*), for receiving the selected viewing content from the content library via said headend system (Galipeau column 10 lines 58-60 *deliver content to passenger*) and for presenting the selected viewing content (Galipeau column 11 lines 59-65 *applications for viewing content*); and

a second portable media device being associated with the second passenger seat group (Galipeau "Personal Computer" Fig. 12 item 226 *a different personal computer being used with a second group*), said second portable media device for enabling selection of selected viewing content, for receiving the selected viewing content from the content library via said headend system (Galipeau column 10 lines 58-60 *deliver content to passenger*; column 4 lines 26-29 *requested by passenger*) and for presenting the selected viewing content (Galipeau column 11 lines 59-65 *applications for viewing content*).

Galipeau fails to explicitly disclose providing a content source including a first

content library and a second content library associated with the first and second group, a first content catalog of first viewing content available from the first content library and a second content catalog of second viewing content available from the second content library; and presenting the first and second content catalog, for enabling selection of viewing content; wherein the first content library is different from the second content library and is not available to said second portable media device.

Wilson describes a method for providing location-based services to multiple mobile devices in a wireless telecommunication network.

With this in mind, Wilson discloses a content source including a first content library and a second content library associated with the first and second group (Wilson claim 1 lines 15-20 *provide basic level of service to first list of subscribers and a premium level of service to a second level of subscribers*), wherein the first content library is different from the second content library and is not available to said second portable media device (Wilson claim 1 lines 15-25 *content is provided to subscribers in the second list (i.e. first group of Galipeau) not available to subscribers in the first list*). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine the multi-level content providing of Wilson with the passenger based content providing system of Galipeau as it would allow content providers to provide "premium content or features to users at rates higher than simple subscription fees" (Wilson [0161] lines 6-9).

The above combination of Galipeau and Wilson fail to explicitly disclose a first content catalog of first viewing content available from the first content library and a

second content catalog of second viewing content available from the second content library; and presenting the first and second content catalog, for enabling selection of viewing content.

Decinque describes a system and method for ordering video content.

With this in mind, Decinque discloses a content catalog of viewing content available from a content library and presenting the content catalog (Decinque column 4 lines 35-36 *presenting product information*), for enabling selection of viewing content (Decinque column 3 lines 56-58 *customer selects program by clicking on icon*). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to combine first and second content groups of Galipeau and Wilson each with the catalog system of Decinque, providing each group respective content selection as it would permit "a website to act as a customer interface to allow a customer to interact directly with a website display to order video content" removing the risk of "losing the impulse purchase potential" (Decinque column 1 lines 40-47).

17. As to claim 13, the above combined art of Galipeau, Wilson and Decinque disclose the invention as claimed as described in claim 12 including, wherein said first portable media device includes:

a handheld case having a predetermined shape and including a communication port (Galipeau Fig. 12 item 226 *communicating laptop with case*);

a transceiver system for wirelessly communicating (Wilson [0006] lines 3-6

wireless device) with said headend system via the communication port, said transceiver system being disposed within said handheld case (Galipeau "Personal Computer" Fig. 12 item 226 communicating with "Server" item 192);

an integrated user interface system (Galipeau column 11 lines 59-65 *software*) being provided on said handheld case and including:

a video presentation system (Galipeau column 3 lines 3-10 *video*) for selecting among the first viewing content available from the first content library (Wilson claim 1 lines 18-25 *provide content access to subscribers of second list*) via a menu-based system (Wilson [0107] lines 5-10 *displays to receive user input*) and for presenting a video portion of the selected first viewing content (Galipeau column 9 lines 22-25 *video present to personal computer*);

an audio presentation for presenting an audio portion of the selected first viewing content (Galipeau column 9 lines 33-36 *audio presented with video*); and

a control system for selecting the selected first viewing content for presentation and controlling the presentation of the selected first viewing content (Wilson [0107] lines 5-10 *displays to receive user input*).

18. As to claim 14, the above combined art of Galipeau, Wilson and Decinque disclose the invention as claimed as described in claim 13, including wherein the selected first viewing content is selected and presented solely via the user interface system (Galipeau column 9 lines 22-25 *video present to personal computer*).

19. As to claim 15, the above combined art of Galipeau, Wilson and Decinque disclose the invention as claimed as described in claim 12, including wherein the content source is remote from the passenger vehicle (Galipeau "Ainet Ground Server" Fig. 12, item 232 *connected with* "Internet Server" item 192 through "Antenna" item 236).

20. As to claim 16, the above combined art of Galipeau, Wilson and Decinque disclose the invention as claimed as described in claim 12, including wherein access to the second content library is conditioned upon receipt of valid authorization information from said second portable media device (Wilson [0063] lines 6-9 *authorization*).

21. As to claim 17, the above combined art of Galipeau, Wilson and Decinque disclose the invention as claimed as described in claim 12, including wherein at least a portion of the first content library is made available to said second portable media device upon payment of a fee (Wilson claim 2 lines 7-13 *access to premium with payment*).

22. As to claim 18, the above combined art of Galipeau, Wilson and Decinque disclose the invention as claimed as described in claim 17, including wherein a content preview from the first content library is available for presentation via said second portable media device prior to the payment of the fee (Decinque column 1 lines 37-40

program previews).

23. As to claim 19, the above combined art of Galipeau, Wilson and Decinque disclose the invention as claimed as described in claim 12, including wherein said first portable media device is configured to upload content to the content source (Galipeau column 12 lines 37-41 *transmit email and webpages off-aircraft*).

24. As to claim 20, the above combined art of Galipeau, Wilson and Decinque disclose the invention as claimed as described in claim 19, including wherein said headend system inhibits said first portable media device from uploading inappropriate viewing content to the content source (Galipeau column 12 lines 5-8 *internet server authenticates information coming on and off aircraft*).

25. As to claim 21, the above combined art of Galipeau, Wilson and Decinque disclose the invention as claimed as described in claim 12, including wherein the first content library includes at least a portion of the second content library (Wilson claim 1 lines 15-25 *basic services are included in premium services*).

26. As to claim 22, the above combined art of Galipeau, Wilson and Decinque disclose the invention as claimed as described in claim 12, including further comprising a plurality of said first portable media devices each being associated with the first passenger seat group and configured for selecting the first viewing content available

from the first content library and for presenting the selected first viewing content (Galipeau Fig. 1 *multiple passenger groups with multiple seats*).

27. As to claim 23, the above combined art of Galipeau, Wilson and Decinque disclose the invention as claimed as described in claim 12, including further comprising a plurality of said second portable media devices each being associated with the second passenger seat group and configured for selecting the second viewing content available from the second content library and for presenting the selected second viewing content (Galipeau Fig. 1 *multiple passenger groups with multiple seats*).

28. As to claim 24, the above combined art of Galipeau, Wilson and Decinque disclose the invention as claimed as described in claim 12, including an aircraft including a vehicle information system characterized by claim 12 (Galipeau Abstract).

29. As to claim 25, Galipeau substantially discloses a portable media device for enabling selection of viewing content available from a relevant content library (Galipeau column 4 lines 26-29 *requested by passenger*) of a content source, for receiving the preselected viewing content from a content source via a headend system and for presenting the preselected viewing content (Galipeau Fig. 12 "Personal Computer"), comprising:

a handheld case having a predetermined shape and including a communication port (Galipeau Fig. 12 item 226 *communicating laptop with case*);

a transceiver system for communicating with a headend system of the vehicle information system via the communication port, said transceiver system being disposed within said handheld case (Galipeau "Personal Computer" Fig. 12 item 226 communicating with "Server" item 192);

an integrated user interface system being provided on said handheld case (Galipeau column 11 lines 59-65 *software*) and including:

a video presentation system (Galipeau column 3 lines 3-10 *video*) for selecting among the available viewing content (Galipeau column 4 lines 26-29 *requested by passenger*) and for presenting a video portion of the selected viewing content (Galipeau column 9 lines 22-25 *video present to personal computer*);

an audio presentation for presenting an audio portion of the selected viewing content (Galipeau column 9 lines 33-36 *audio presented with video*);

wherein said portable media device and the relevant content library are associated with a selected passenger seat group (Galipeau Fig. 1 *passenger seat groups* 12, 14 *associated with content provided via cable* 20), and

another passenger seat group (Galipeau Fig. 1 *multiple seat groups*).

Galipeau fails to explicitly disclose wirelessly communicating, presenting a content catalog of the available viewing content, selecting via a menu-based system, a control system for selecting the selected viewing content for presentation and controlling the presentation of the selected viewing content, wherein the content source includes another content library that is different from the relevant content library, that is associated with a another group, and that is not available to said portable media device.

Wilson discloses wirelessly communicating (Wilson [0006] lines 3-6 *wireless device*), selecting via a menu-based system (Wilson [0107] lines 5-10 *displays to receive user input*), a control system for selecting the selected viewing content for presentation and controlling the presentation of the selected viewing content (Wilson [0107] lines 5-10 *displays to receive user input*), wherein the content source includes another content library that is different from the relevant content library, that is associated with another group (Wilson claim 1 lines 15-20 *provide basic level of service to first list of subscribers and a premium level of service to a second level of subscribers*), and that is not available to said portable media device (Wilson claim 1 lines 15-25 *content is provided to subscribers in the second list (i.e. first group of Galipeau) not available to subscribers in the first list*). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine the multi-level content providing of Wilson with the passenger based content providing system of Galipeau as it would allow content providers to provide "premium content or features to users at rates higher than simple subscription fees" (Wilson [0161] lines 6-9).

The above combined art of Galipeau and Wilson fails to explicitly disclose presenting a content catalog of the available viewing content.

Decinque discloses presenting a content catalog of the available viewing content (Decinque column 4 lines 35-36 *presenting product information*; column 3 lines 56-58 *customer selects program by clicking on icon*). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to combine first and second content groups of Galipeau and Wilson

each with the catalog system of Decinque, providing each group respective content selection as it would permit "a website to act as a customer interface to allow a customer to interact directly with a website display to order video content" removing the risk of "losing the impulse purchase potential" (Decinque column 1 lines 40-47).

30. As to claim 26, the above combination of Galipeau, Wilson and Decinque disclose the invention as claimed as described in claim 25, including a vehicle information system installed aboard a passenger vehicle (Galipeau Abstract), comprising:

a headend system for communicating with a content source including a relevant content library ("Internet Server" Fig. 12, item 192 *communicating with* "Airnet Ground Server" Fig. 12, item 232) associated with a relevant passenger seat group within the passenger vehicle (Galipeau column 3 lines 52-55 *seat groups*); and

a portable media device for selecting and receiving preselected viewing content available from the relevant content library of the content source via the headend system and for presenting the preselected viewing content as characterized by claim 25 (Galipeau Fig. 12 "Personal Computer" item 226).

31. As to claim 27, Galipeau substantially discloses a vehicle information system installed aboard a passenger vehicle (Galipeau Abstract), comprising:

a headend system for communicating with a content source including a content library ("Internet Server" Fig. 12, item 192 *communicating with* "Airnet Ground Server"

Fig. 12, item 232) associated with a first passenger seat group within the passenger vehicle (Galipeau column 3 lines 52-55 *seat groups*; Fig. 1 item 12 *first column of seat groups*) and a second passenger seat group within the passenger vehicle (Galipeau column 3 lines 52-55 *seat groups*; Fig. 1 item 14 *second column of seat groups*);

a plurality of first handheld media devices associated with the first passenger seat group (Galipeau "Personal Computer" Fig. 12 item 226 *being used by passengers within a first group*), each of said first handheld media devices for receiving the selected viewing content (Galipeau column 4 lines 26-29 *requested by passenger*) from the content library via said headend system (Galipeau column 10 lines 58-60 *deliver content to passenger*) and for presenting the selected first viewing content (Galipeau column 11 lines 59-65 *applications for viewing content*); and

a plurality of second handheld media devices associated with the second passenger seat group (Galipeau "Personal Computer" Fig. 12 item 226 *being used by passengers within a second group*), each of said second handheld media devices for receiving the selected (Galipeau column 4 lines 26-29 *requested by passenger*) viewing content available from the content library via said headend system (Galipeau column 10 lines 58-60 *deliver content to passenger*) and for presenting the selected viewing content (Galipeau column 11 lines 59-65 *applications for viewing content*).

Galipeau fails to explicitly disclose a first content source including a first content library associated with the first group and a second content source including a second content library associated with the second group, providing a first content catalog of first viewing content available from the first content library and a second content catalog of a

second viewing content available from the second content library; and presenting the first and second content catalog, for enabling selection of viewing content; wherein the first content library is different from the second content library and is not available to said second handheld media device.

Wilson discloses a first content source (Wilson Fig. 1 item 108 "Portal Application Servers" *accessed via a load balancer*) including a first content library associated with the first group (Wilson claim 1 lines 15-20 *provide a premium level of service to a second level of subscribers*) and a second content source (Wilson Fig. 1 item 108 "Portal Application Servers" *accessed via a load balancer*) including a second content library associated with the second group (Wilson claim 1 lines 15-20 *provide basic level of service to first list of subscribers*), wherein the first content library is different from the second content library and is not available to said second handheld media device (Wilson claim 1 lines 15-25 *content is provided to subscribers in the second list (i.e. first group of Galipeau) not available to subscribers in the first list*). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine the multi-level content providing of Wilson with the passenger based content providing system of Galipeau as it would allow content providers to provide "premium content or features to users at rates higher than simple subscription fees" (Wilson [0161] lines 6-9).

The above combination Galipeau and Wilson fail to explicitly disclose providing a first content catalog of first viewing content available from the first content library and a second content catalog of a second viewing content available from the second content

library; and presenting the first and second content catalog, for enabling selection of viewing content.

Decinque discloses providing content catalog of viewing content available from a content library and presenting the content catalog (Decinque column 4 lines 35-36 *presenting product information*), for enabling selection of viewing content (Decinque column 3 lines 56-58 *customer selects program by clicking on icon*). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to combine first and second content groups of Galipeau and Wilson each with the catalog system of Decinque, providing each group respective content selection as it would permit "a website to act as a customer interface to allow a customer to interact directly with a website display to order video content" removing the risk of "losing the impulse purchase potential" (Decinque column 1 lines 40-47).

32. As to claim 28, Galipeau substantially discloses a method for distributing viewing content aboard a passenger vehicle (Galipeau Abstract), comprising:

providing a headend system, said headend system for communicating with a content source including a content library ("Internet Server" Fig. 12, item 192 *communicating with "Airnet Ground Server"* Fig. 12, item 232) associated with a first passenger seat group within the passenger vehicle (Galipeau column 3 lines 52-55 *seat groups*; Fig. 1 item 12 *first column of seat groups*) and a second passenger seat group within the passenger vehicle (Galipeau column 3 lines 52-55 *seat groups*; Fig. 1 item 14

second column of seat groups);

a first portable media device associated with the first passenger seat group
(Galipeau "Personal Computer" Fig. 12 item 226 *being used with a first group*);

enabling the first portable media device to select first selected viewing content
(Galipeau column 4 lines 26-29 *requested by passenger*), to receive the selected first
viewing content (Galipeau column 10 lines 58-60 *deliver content to passenger*) from the
content library via said headend system, and to present the selected first viewing
content (Galipeau column 11 lines 59-65 *applications for viewing content*);

a second portable media device associated with the second passenger seat
group (Galipeau "Personal Computer" Fig. 12 item 226 *a different personal computer
being used with a second group*);

enabling the second portable media device to select second selected viewing
content (Galipeau column 4 lines 26-29 *requested by passenger*), to receive the
selected second viewing content from the content library via said headend system
(Galipeau column 10 lines 58-60 *deliver content to passenger*), and to present the
selected second viewing content (Galipeau column 11 lines 59-65 *applications for
viewing content*);

Galipeau fails to explicitly disclose a content source including a first content
library and a second content library associated with the first and second group,
providing a first content catalog of first viewing content available from the first content
library and a second content catalog of second viewing content available from the
second content library; and presenting the first and second content catalog, for enabling

selection of viewing content; wherein the first content library is different from the second content library and is not available to said second portable media device.

Wilson discloses a content source including a first content library and a second content library associated with the first and second group (Wilson claim 1 lines 15-20 *provide basic level of service to first list of subscribers and a premium level of service to a second level of subscribers*), wherein the first content library is different from the second content library and is not available to said second portable media device (Wilson claim 1 lines 15-25 *content is provided to subscribers in the second list (i.e. first group of Galipeau) not available to subscribers in the first list*). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine the multi-level content providing of Wilson with the passenger based content providing system of Galipeau as it would allow content providers to provide "premium content or features to users at rates higher than simple subscription fees" (Wilson [0161] lines 6-9).

The above combination of Galipeau and Wilson fails to explicitly disclose providing a first content catalog of first viewing content available from the first content library and a second content catalog of second viewing content available from the second content library; and presenting the first and second content catalog, for enabling selection of viewing content.

Decinque discloses providing a content catalog of viewing content available from a content library and presenting the content catalog (Decinque column 4 lines 35-36 *presenting product information*), for enabling selection of viewing content (Decinque

column 3 lines 56-58 *customer selects program by clicking on icon*). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to combine first and second content groups of Galipeau and Wilson each with the catalog system of Decinque, providing each group respective content selection as it would permit "a website to act as a customer interface to allow a customer to interact directly with a website display to order video content" removing the risk of "losing the impulse purchase potential" (Decinque column 1 lines 40-47).

33. As to claim 29, the above combined art of Galipeau, Wilson and Decinque disclose the invention as claimed as described in claim 28, including further comprising making the first content library available to said second portable media device upon payment of a fee (Wilson claim 2 lines 7-13 *access to premium with payment*).

34. As to claim 30, the above combined art of Galipeau, Wilson and Decinque disclose the invention as claimed as described in claim 28, including further comprising configuring said first portable media device to upload content to the content source (Galipeau column 12 lines 37-41 *transmit email and webpages off-aircraft*).

35. As to claim 31, Galipeau substantially discloses a vehicle information system installed aboard a passenger vehicle (Galipeau Abstract), comprising:

a headend system for communicating with a content source including a content

library ("Internet Server" Fig. 12, item 192 *communicating with "Airnet Ground Server"* Fig. 12, item 232) associated with a first passenger seat group within the passenger vehicle (Galipeau column 3 lines 52-55 *seat groups*; Fig. 1 item 12 *first column of seat groups*) and a second passenger seat group within the passenger vehicle (Galipeau column 3 lines 52-55 *seat groups*; Fig. 1 item 14 *second column of seat groups*);

a first handheld media device being associated with the first passenger seat group (Galipeau "Personal Computer" Fig. 12 item 226 *being used with a first group*), said first handheld media device for enabling selection of selected viewing content (Galipeau column 4 lines 26-29 *requested by passenger*), for receiving the selected viewing content from the content library via said headend system (Galipeau column 10 lines 58-60 *deliver content to passenger*), and for presenting the selected viewing content (Galipeau column 11 lines 59-65 *applications for viewing content*); and

a second handheld media device being associated with the second passenger seat group (Galipeau "Personal Computer" Fig. 12 item 226 *a different personal computer being used with a second group*), said second handheld media device for enabling selection of selected viewing content (Galipeau column 4 lines 26-29 *requested by passenger*) for receiving the selected viewing content from the content library via said headend system (Galipeau column 10 lines 58-60 *deliver content to passenger*), and for presenting the selected viewing content (Galipeau column 11 lines 59-65 *applications for viewing content*),

wherein said first handheld media device includes:

a handheld case having a predetermined shape and including a communication

port (Galipeau Fig. 12 item 226 *communicating laptop with case*);

a transceiver system for communicating with the content source via the communication port, said transceiver system being disposed within said handheld case (Galipeau "Personal Computer" Fig. 12 item 226 communicating with "Server" item 192);

an integrated user interface system being provided on said handheld case (Galipeau column 11 lines 59-65 *software*) and including:

a video presentation system (Galipeau column 3 lines 3-10 *video*) for selecting among the viewing content available from the first content library (Galipeau column 4 lines 26-29 *requested by passenger*) and for presenting a video portion of the selected viewing content (Galipeau column 9 lines 22-25 *video present to personal computer*);

an audio presentation for presenting an audio portion of the selected first viewing content (Galipeau column 9 lines 33-36 *audio presented with video*); and

a control system for selecting the selected first viewing content for presentation and controlling the presentation of the selected first viewing content.

Galipeau fails to explicitly disclose a content source including a first content library and a second content library associated with the first and second group, a first content catalog of first viewing content available from the first content library and a second content catalog of second viewing content available from the second content library; and presenting the first and second content catalog, for enabling selection of viewing content; wherein the first content library is different from the second content

library and is not available to said second portable media device, selecting via a menu-based system, and a control system for selecting the selected viewing content for presentation and controlling the presentation of the selected viewing content.

Wilson discloses a content source including a first content library and a second content library associated with the first and second group (Wilson claim 1 lines 15-20 *provide basic level of service to first list of subscribers and a premium level of service to a second level of subscribers*), wherein the first content library is different from the second content library and is not available to said second portable media device (Wilson claim 1 lines 15-25 *content is provided to subscribers in the second list (i.e. first group of Galipeau) not available to subscribers in the first list*), selecting via a menu-based system (Wilson [0107] lines 5-10 *displays to receive user input*), and a control system for selecting the selected viewing content for presentation and controlling the presentation of the selected viewing content (Wilson [0107] lines 5-10 *displays to receive user input*). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine the multi-level content providing of Wilson with the passenger based content providing system of Galipeau as it would allow content providers to provide "premium content or features to users at rates higher than simple subscription fees" (Wilson [0161] lines 6-9).

The above combined art of Galipeau and Wilson fails to explicitly disclose a first content catalog of first viewing content available from the first content library and a second content catalog of second viewing content available from the second content library; and presenting the first and second content catalog, for enabling selection of

viewing content.

Decinque discloses a content catalog of viewing content available from a content library and presenting the content catalog (Decinque column 4 lines 35-36 *presenting product information*), for enabling selection of viewing content (Decinque column 3 lines 56-58 *customer selects program by clicking on icon*). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to combine first and second content groups of Galipeau and Wilson each with the catalog system of Decinque, providing each group respective content selection as it would permit "a website to act as a customer interface to allow a customer to interact directly with a website display to order video content" removing the risk of "losing the impulse purchase potential" (Decinque column 1 lines 40-47).

Conclusion

36. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
37. Glick et al (US 6,985,588 B1) is related to controlling access to digital information based on location identity.
38. Chelehmal et al (US 2002/0046406 A1) details an On-Demand data system for transmitting to a subscriber from a content server.
39. Hunter (US 2002/0162113 A1) details a system permitting the display of video content on select displays.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC W. SHEPPERD whose telephone number is (571)270-5654. The examiner can normally be reached on Monday - Thursday, Alt. Friday, 7:30 AM - 5PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on (571)272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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